

C.C.R.B CASE CLOSING FORM

Investigator assigned: Ludwig		Team: 7	CCRB#: 9805446	<input type="checkbox"/> Force <input checked="" type="checkbox"/> Discourtesy <input checked="" type="checkbox"/> Abuse <input type="checkbox"/> O.L. <input type="checkbox"/> Injury
Date of incident: 12/8/98	Time of incident: 11:50 PM	Location of incident: Cross Island parkway	Pct. of occurrence: 105	Date S.O.L. Expires: 6.8.00
Date reported: 12/14/98	Time reported: 1:04 PM	To whom/where/how reported: to CRU by Police Personnel		
Complainant: § 87(2)(b)		Home address: § 87(2)(b)		
Victim(s): Same as above		Home address:		
Witness(es): Unidentified		Home address:		
Subject officer(s) (include rank): Officer Milano		Shield: 13791	Tax: 918001	Command: 105 Pct
Witness officer(s) (include rank):		Shield:	Tax:	Command:
Allegation(s) by letter: (A) PO Milano was discourteous when he called § 87(2)(b) an "asshole", "stupid" and told § 87(2)(b) to "shut up" in violation of PG104-01 (B) PO Milano abused his authority when he detained § 87(2)(b) and passengers unnecessarily in violation of PG116-33 (C) PO Milano abused his authority when he issued § 87(2)(b) six "bogus" summons in violation of PG110-01				Recommendation(s): § 87(2)(g) § 87(2)(g) § 87(2)(g)

Summary of Complaint

According to the Civilian Complaint Report filled out by § 87(2)(b) at the 105th precinct, on December 8th, 1998, at 11:50 PM, § 87(2)(b) was driving with three passengers. § 87(2)(b) became aware of a police van or ambulance and pulled over to the right lane to let them pass. The vehicle was in fact a police van.

§ 87(2)(b) stated he was pulled over by the Police van. The subject officer, PO Milano, informed § 87(2)(b) he was driving with no headlights on. PO Milano called § 87(2)(b) an "asshole", "stupid" and told § 87(2)(b) to "shut up." PO Milano would not let Mr. Mazola out of the car to check his lights. § 87(2)(b) and his three passengers were detained for 45 minutes. § 87(2)(b) was given six bogus summons. Additional MOS surrounded § 87(2)(b) car with their hands on their guns.

Results of Investigation

On December 21st 1998, at 3:51 PM a call was placed to § 87(2)(b) at his home number § 87(2)(b) the number was busy. At 3:59 PM a call was placed to § 87(2)(b) at the work number given on the UF-245 § 87(2)(b) the person who answered the phone stated it was a wrong number. At 4:03 PM § 87(2)(b) home number was called again. § 87(2)(b) was home and an appointment was made for December 23rd at 11:00 AM. On December 22nd, § 87(2)(b) called and rescheduled his appointment for December 29th at 10:30 AM. On December 29th a message was retrieved stating that § 87(2)(b) would not attend his appointment and that he would call to explain. On December 30th at 10:05 AM, a call was placed to § 87(2)(b) at home and a message was left. On December 31st a contact letter was sent. On January 4th, 1999, at 11:45, a call was placed to § 87(2)(b) home. § 87(2)(b) stated that he was unsure whether or not he wanted to pursue a CCRB investigation. He expressed doubts as to the severity of impact upon the officer and he doubted that his witnesses would come forth. § 87(2)(b) said he would call on January 7th or 8th. On January 7th, at 10:54 AM, a second contact letter was sent. On January 12th at 10:01 AM a call was placed to § 87(2)(b) at home and a message was left with § 87(2)(b). To date, § 87(2)(b) has not called back.

Conclusions and Recommendations

§ 87(2)(g)

Investigator:	<u><i>William M. Schling</i></u>	Date:	<u>1.15.99</u>
Supervisor:	<u></u>	Date:	<u></u>
Reviewed by:	<u><i>John J. Lange</i></u>	Date:	<u>1/15/99</u>
Reviewed by:	<u></u>	Date:	<u></u>